

GOVERNMENT OF ANDHRA PRADESH

A B S T R A C T

PUBLIC SERVICES – CT Department – Sri G.Rajesh Kumar, Commercial Tax Officer, Barkatpura, Abids Division – Request for regularization of services and declaration of probation within the normal period in the cadre of CTO by invoking Rule 16(h) of Andhra Pradesh State & Subordinate Service Rules, 1996 – Orders – Issued.

REVENUE (CT.I) DEPARTMENT

G.O.Rt.No. 1031

Dated:19.08.2011.
Read the following.

- 1.Representation dated.04.01.2010 of Sri G.Rajesh Kumar, CTO, Barkatpura, Abids Division.
- 2.Govt.Memo No.56812/CT.I(1)/2009, dated.11.01.2010.
- 3.CCTs Ref No.D4/1743/2009, dated.03.03.2010.
- 4.Govt.Memo No.56812/CT.I(1)/2010, dated.01.06.2010.
- 5.CCTs Ref No.D4/1743/2009, dated.27.04.2011.
- 6.From APPSC Lr.No.1749/DTM/2001, Dt.26.05.2011.

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O R D E R:

In the reference 1st read above, Sri G.Rajesh Kumar, CTO, Barkatpura, Abids Division has filed a representation before the Government stating that he joined as CTO in the CT Department on 27.08.2004 and passed last departmental test i.e. LF Audit paper IV in his 6th attempt, (from the date of joining the department on 27.08.2004) but beyond three years as the APPSC has not conducted the departmental exams and published the results as per schedule. He requested the Government to regularize his services and declare his probation in the cadre of CTO w.e.f. 27.08.2004, i.e. from his date of joining along with all consequential benefits.

2. In the reference 3rd read above, the Commissioner of Commercial Taxes has stated that Sri G.Rajesh Kumar, has joined as CTO on 27.08.2004 FN. As per rule 16(c) of APS & SS Rules, 1996, the individual has to be on 2 years probation period within a continuous period of 3 years i.e. upto 26.08.2007. As per rule 17(b) of AP S & SS Rules, 1996, extension of probation by the appointing authority shall not exceed one year, whether on duty or otherwise. As per rule 16(e) of APS & SS Rules, 1996, the individual has to pass all the departmental tests as prescribed under rule-9 of AP CT Service Rules within stipulated time of three years, in this case by 26.08.2007. The individual has appeared for the last departmental exam i.e. Local Fund Audit test Paper.IV on 11.02.2008 and the result of the same was declared by APPSC on 17.07.2008.

3. Every employee recruited to service has to pass the departmental tests within a period of 3 years including extension period of one year U/r 17(b) from the date of joining as laid down in Rule 16 of the APS & SS Rules. This is subject to the condition that the APPSC has to conduct the prescribed departmental tests as stipulated in the departmental test rules, 1965 i.e. conducts of departmental tests twice a year regularly. Sri G.Rajesh Kumar, CTO has passed the all departmental tests, but beyond the period of 3 years as stipulated.

4. Government, have examined the matter carefully and observed that Sri G.Rajesh Kumar, CTO did not clear all the departmental tests within the prescribed time limit of three years. But it is due to delay in conducting of departmental tests by the APPSC. As seen from the APPSC letter in reference 6th read above, the departmental test of May, 2007 was conducted in February, 2008 and the results were published in July, 2008. Had the departmental test for May, 2007 been conducted on time and the results published on time i.e. July, 2007, the individual would have passed the exam within three years of his date of joining as CTO i.e. by July, 2007. In the circumstances above, it is observed that the delay in passing the test is not due to the fault of the individual but it is due to delayed conducting of departmental tests and delayed publication of results by the APPSC. Hence it cannot be attributed to the candidate i.e. Sri G.Rajesh Kumar, CTO, It is therefore decided to relax rule 16(h) of Andhra Pradesh State and Subordinate Service Rules 1996 in favour of individual by invoking the powers of relaxation conferred under Rule 31 of APS & SS Rules, 1996.

5. Accordingly, under rule 31 of APS & SS Rules, 1996, Government hereby order to relax rule 16(h) of Andhra Pradesh State and Subordinate Service Rules, 1996 in favour of Sri G.Rajesh Kumar, CTO and to declare that he shall be deemed to have completed his probation within the normal period of probation in the cadre of CTO and commenced his probation with effect from 27.08.2004.

6. The Commissioner of Commercial Taxes, Hyderabad shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRL.SECRETARY TO GOVERNMENT

To
The Commissioner of Commercial Taxes, Hyderabad.
Copy to: the individual through the Commissioner of Commercial Taxes,
Hyderabad.

// FORWARDED BY ORDER //

SECTION OFFICER